

1639

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): J.P. Bourguignon et al.

Appln. No.: 10/087,011

Confirmation No. : 3397

Filed: February 26, 2002

Title: New Peptide Antagonists at Glutamate and NMDA Receptors

PATENT APPLICATION

Art Unit: 1639

Examiner: BENNETT M. CELSA

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 14, 2004.

D. Benjamin Borson (Attorney Signature)
D. Benjamin Borson, Reg. No. 42,349
Signature Date: April 14, 2004

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ✓ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ✓ The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

✓ Copies of cited references are also enclosed for which the exact date of publication is unknown. Their inclusion with this submission should not be construed as an admission that these references are prior art.

— **PTA Statement under 37 C.F.R. §1.704(d).** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

This statement should be considered because:

This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

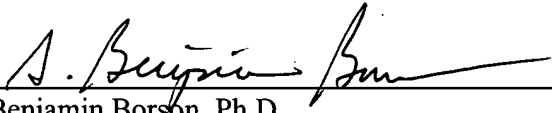
It is being filed before the mailing date of the first Office Action on the merits.

✓ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

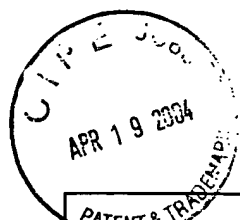
Respectfully submitted,

FLIESLER MEYER LLP

Date: April 14, 2009

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Form PTO-1449 (Substitute) Information Disclosure Statement BY APPLICANT (Use several sheets if necessary)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Attorney Docket Number NRNZ-1001US2	Serial/Patent Number 10/087,011
	Applicant/Patent Owner J. Bourguignon		
	Filing Date February 26, 2002	Group Art Unit 1639	

U.S. PATENT PUBLICATIONS

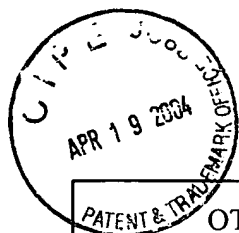
Examiner Initial	Patent Number	Issue Date	Applicant
	5,068,224	11/26/1999	Fryklund

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Translation Yes No
	✓ WO 93/02695	2/18/93	PCT	
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	✓ WO 89/05822	6/29/89	PCT	
	✓ EP0 289 314	2/11/88	Europe	

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Examiner	Date Considered
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
*1 = Copy not submitted because it was submitted in prior application SN / _____, filed _____, 20____, relied on under 35 USC §120.	
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